

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Rebecca A. Wiseman, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Robert Abilez, Senior Deputy Clerk.

F043638 Hinesley v. Gardiner et al.

Cause called and argued by Steven A. Hirsch, Esq., counsel for appellant and by John R. Szewczyk, Esq., counsel for respondents.

Cause ordered submitted.

Court recessed until Thursday, September 23, 2004 at 11:00 A.M.

F045078 People v. Harris

Cause is submitted.

F045078 People v. Harris

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042469 Gutierrez et al. v. Gutierrez
F042834

Plaintiffs, Respondents and Appellants Ignacio Gutierrez et al.'s petition for rehearing filed herein is denied.

F042057 People v. Perez, Sr.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F042057 People v. Perez, Sr.

The judgment is affirmed. Gomes, J.

We concur: Wiseman, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043417 People v. Welch

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F043417 People v. Welch

The judgment is affirmed. Gomes, J.

We concur: Wiseman, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042051 People v. Rudis

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F042735 People v. Headspeth

The judgment of conviction on count two, receiving stolen property (§496), is reversed. The trial court is directed to amend the abstract of judgment accordingly and to forward a copy of the amended abstract to the Department of Corrections. In all other respects, the judgment is affirmed. Levy, J.

We concur: Wiseman, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044416 AC Farms Sherwood et al. v. Southern California Edison Company et al.

The PUC's decisions (Cal. P.U.C. Dec. Nos. 02-11-003 and 03-10-089) are affirmed. Gomes, J.

We concur: Wiseman, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043643 People v. Lopez

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

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Fifth Appellate District

F043643 People v. Lopez

The judgment is reversed. Gomes, J.

We concur: Wiseman, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043388 In re David H. McGraw

The petition for writ of habeas corpus is granted. The Board is ordered to vacate its denial of parole and enter a new order granting parole and setting a release date in accordance with the applicable regulations.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044166 People v. Hignite

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F044166 People v. Hignite

The judgment is affirmed. Gomes, J.

We concur: Wiseman, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045800 Enrique R. v. The Superior Court of Tulare County; Tulare County Health
and Human Services Agency**

The petition for extraordinary writ is denied. This opinion is final
forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045356 People v. Bradshaw

No brief having been filed by appellant after notice duly given
under rule 17(a)(1) of the California Rules of Court, IT IS HEREBY
ORDERED that the appeal in the above-entitled action is dismissed.